

PARITY FACT SHEET

If the Office of Guardian ad Litem used the pay scale currently in place in the Attorney General's office, GAL attorneys **would be paid an average of 34% more.**

"Primary causes of inadequate legal representation of the parties in child welfare cases are low compensation and excessive caseloads. Reasonable compensation of attorneys for this important work is essential. . . The need for improved compensation is not for the purpose of benefitting the attorney, but rather to ensure that the child receives the intense and expert legal services required."

(Emphasis added.) Adoption 2002: The President's Initiative on Adoption and Foster Care. Guidelines for Public Policy and State Legislation Governing Permanence for Children, U.S. Dept. Of HHS ACF ACYF Children's Bureau, 1999, page VII-4.

In the last 3 years the turnover rate for GAL attorneys averaged 24.7% per year. Nearly all attorneys report low compensation as a primary factor in their decision to leave.

Of the GAL attorneys who have left since 2001, 53% took positions still in public service. (26% went to work as solo practitioners or at small firms, not traditionally high paying, and 13% became judicial officers.)

Currently, 56.8% of GAL attorneys have worked in the GAL office 2 years or less, and 24.3% have practiced law 2 years or less.

"For the sake of the child client and the interests of the system, attorneys must be provided appropriate and reasonable compensation."

National Association of Counsel for Children Recommendations for Representation of Children in Abuse and Neglect Cases, III.A.2., Comment B, 2001.

A District Court law clerk, bar certified with one year experience:

- 40 hour work week
- does legal research and writing

And earns MORE than . . .

GAL attorney, bar certified with *two years of experience*:

- consistently works well over 40 hours each week
- litigates; represents about 200 child clients; appears in court almost daily

STAFFING FACT SHEET

The GAL office employs one support staff for every 2 lawyers. The Child Protection Division of the Attorney General's Office maintains a staffing level of one support staff for each attorney.

Current GAL case loads average about 218 child clients per attorney. The U.S. Department of Health and Human Services and the National Association of Counsel for Children, have adopted a standard of no more than 100 child clients per attorney, presuming the attorney has adequate support staff.

"A child welfare law office should have a sound administrative infrastructure, including adequate support staff. Staff positions may include receptionist, secretarial/clerical, paralegals, and other professional staff such as social workers."

Child Welfare Law Office Guidebook: Best Practice Guidelines for Organizational Legal Representation of Children in Abuse, Neglect, and Dependency Cases, (National Association of Counsel for Children, 2006).

Utah Code section 78A-6-901(3)(k) provides that the GAL Director shall "hire, train, and supervise investigators." While this provision has existed since the creation of the GAL office in 1994, funding to hire investigators was provided for the first time in 2001. Statewide budget cuts later that year eliminated the funding, and it has never been replaced.

The 2008 legislative performance audit of the GAL Office acknowledges the inadequate administrative support, noting "support staff is important for enabling GALs to focus on representing the best interests of the child in court." (2008 GAL audit, p.31.)